

JAN. 24. 2005 6:05PM

POWELL, GOLDSTEIN (DTI-17)

NO. 094 P. 1

POWELL
GOLDSTEIN LLP

One Atlantic Center
Fourteenth Floor
1201 West Peachtree Street, NW
Atlanta, GA 30309-3488

RECEIVED
CENTRAL FAX CENTER
JAN 24 2005

Atlanta • Washington
Telephone: (404) 572-6600
Fax: (404) 572-6999
Internet: www.pogolaw.com

NOTICE: This communication may contain privileged or other confidential information. If you are not the intended recipient, or believe that you have received this communication in error, please do not print, copy, retransmit, disseminate, or otherwise use the information. Also, please indicate to the sender that you have received this communication in error, and delete the copy you received. Thank you.

FACSIMILE TRANSMISSION COVER SHEET

Date: January 24, 2005

To:	Mail Stop Amendment	Fax #	703-872-9306
		Recipient's Direct Dial #	
From:	Jason A. Bernstein	Sender's Direct Fax #	404-572-6999
		Sender's e-mail address:	jbernstein@pogolaw.com
			kbell@pogolaw.com
		Sender's Direct Dial #	404-572-6900
			404-572-4581
Our File #	141629.00004-P1220US00	Attorney #	3403
Appl.#	10/626,435		

Total Pages (Including This Page): 12 pages
Please notify sender at (404) 572-4581 if all pages are not received properly

COMMENTS:

1. Form PTO/SB/21 Transmittal Form (1 page)
2. Form PTO/SB/22 Petition for Extension of Time (2 pages)
3. First Amendment and Response (18 pages)

JAN. 24. 2005 6:05PM

POWELL, GOLDSTEIN (DTI-17)

NO. 094 P. 2

PTO/SB/21 (08-03)

Approved for use through 08/30/2003. GMB 0851-0031

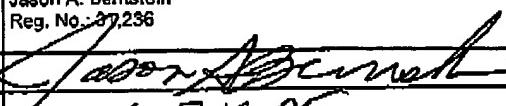
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/626,435	
	Filing Date	July 22, 2003	
	First Named Inventor	Gerald R. Noone	
	Art Unit	3727	
	Examiner Name	Gary E. Eikins	
Total Number of Pages in This Submission	1	Attorney Docket Number	141828.00004-P1220US00

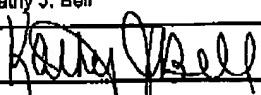
ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Jason A. Bernstein Reg. No. 27,236
Signature	
Date	1-24-05

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Kathy J. Bell	Date	1-24-05
Signature			

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

JAN. 24. 2005 6:06PM

POWELL, GOLDSTEIN (DTI-17)

RECEIVED
CENTRAL FAX CENTER

NO. 094

P. 5

JAN 24 2005

Patents

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Gerald R. Noone

Appl. No.: 10/626,435

Filed: July 22, 2003

For: INTERLOCKING STACKABLE
BOX

Confirmation No.: 9624

Examiner: Elkins, Gary E.

Art Unit: 3727

Customer ID 25207

Attorney Docket No.: 141629.00004-P1220US00

FIRST AMENDMENT AND RESPONSE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Office Action mailed September 22, 2004, please amend the above-identified patent application as follows and consider the appended remarks:

1. Amendments to the Claims are reflected in the listing of claims on page 2 of this paper.
2. Remarks/Arguments begin on page 17 of this paper.

::ODMA\PCDOCS\ATL\828377\1